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TÍTULO: El sacrificio de animales como una forma de violencia zoológica.

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RESUMEN: Se considera el contenido sociopsicológico de la violencia cometida con el uso de animales. Se da la definición de violencia zoológica. Se realiza un análisis de una de las formas iniciales de este fenómeno en la actividad humana: el sacrificio de animales. Se presta atención a los aspectos religiosos, etnoculturales y mitológicos del problema. Se concluye que el uso de animales al cometer coerción contra otras personas es un modelo para la comisión de varios delitos.

PALABRAS CLAVES: violencia, animals, derecho penal, etnología, sacrificio.

TITLE: Animal sacrifice as a form of zoological violence.

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ABSTRACT: The socio-psychological content of violence committed with the use of animals is considered. The definition of zoological violence is given. An analysis is made of one of the initial forms of this phenomenon in human activity - animal sacrifice. Attention is paid to the religious,

ethnocultural and mythological aspects of the problem. It is concluded that the use of animals when committing coercion against other people is a model for the commission of various crimes.

KEY WORDS: violence, animals, criminal law, ethnology, sacrifice.

INTRODUCTION.

The experience of mankind shows that violence has always existed among all nations. As a social phenomenon, it is a form of forcing a person to something through active actions.

In the history of civilizations, violence has always been an integral part of public life and has been a necessary tool for transforming reality. Of all the types of coercive influence on a person (intellectual, family, educational, ethnic, political, etc. [10, p. 93]), the so-called zoological violence, i.e., the use of animal power against people, can be identified as an independent group and other animals. An analysis of the retrospective of the socio-psychological content of this phenomenon will help establish its modern legal nature.

DEVELOPMENT.

Research methodology.

The presented study was conducted on the basis of the principles of consistency. In preparing the article, the works of scientists representing various branches of science: history, criminal law, zoology, ethnology, etc. were used.

The basis of the methodology was the dialectical method of cognition, which allows reflecting the relationship of sciences in determining the essence of the phenomenon under consideration. Using the historical-logical method, the emergence of archaic legal systems in which the relationship between man and animal was regulated was investigated. This method made it possible in general to trace the appearance and development of legal stereotypes, rituals, norms, ceremonies, traditions and prohibitions (taboos) associated with animals.

The results of the study.

Any form of zoological violence is an ethnocultural phenomenon. The ethnology of “violent culture” associated with the use of animals is based on numerous determinants, including public justice, and the socio-psychological elements of human behavior. These are religious attitudes, traditions, typical forms of behavior (customs), value orientations, prohibitions, legal regulations, economic interests, etc. Therefore, the genesis of human development determines the role and place of zoological violence in the practical activities of people.

Among the many types of zoological violence that were encountered in the early stages of the development of society, the use of animals as sacrificers in religious and pagan ceremonies deserves special attention. Sacrifice is the rite of bringing a gift to a deity.

Any pagan or religious deity, in principle, is virtual, that is, invisible, but mentally perceived. In the cases we are considering, the situation is somewhat different. A gift is brought to a real and concrete object, i.e., to one or another kind of sacred animals. Accordingly, this kind of “gift” in pagan rites implies its adoption by cult animals. Physically, this process consists in devouring a dead or still living person. Such ritual ceremonies can be characterized as an anthropological sacrifice.

In history, bringing a gift to an animal in the form of a doomed person was determined by a number of interrelated socio-psychological representations. The central one is the belief that certain animals can patronize a clan or tribe. The formation of such a view is apparently a completely natural process, since animals have always become the first object of human belief in their own defense. After all, they were initially closest to the person. The animation of the forces of nature and the corresponding humanization of living beings (animism) gave rise to zoomorphic ideas about the supernatural relationship between groups of people and one or another species of the fauna.

Any religious or religious belief requires elementary symbols. One of the first such symbols was a zoological totem. A totem is an external sign of unity and solidarity of individual communities of people who identified themselves with representatives of the animal world. Through the totem, a symbolic connection of the clan or tribal community with the territory of residence began to take place. Such a sign (a prototype of heraldic zoological emblems) began to form the basis of primitive rights to land, forests, fields, rivers, lakes, lands, etc.

The symbol of the common origin of community members from one animal ancestor (a connecting sign of community) became especially necessary when separate representatives of the tribe (due to its significant resettlement) could no longer recognize each other in person [Fisher S. (1899), p. 57-59].

At the same time, the totem personifies the internal psychic connection of the tribe with the sacred animal, with his will, desires and aspirations. This connection was blood, that is, as with the closest person, with a twin. In turn, the totem was perceived as a divine sign of protection, prosperity, mercy, personification of happiness, prosperity, deliverance from failures, hunger, misfortunes, forgiveness of mistakes and sins.

The essence of the sacrifice was to attract the attention of the gods, get their location, call for help and protection. For thousands of years, people sincerely believed that if such rituals were not performed, then the sun might not rise and the day would not come, spring would not come, a tribe might die, etc.

By virtue of this, the person who was sacrificed was considered as an offering to the deity. This pagan god was embodied in an animal that was "responsible" for the entire world order. To appease or appease the idol, the pagans donated not only captive enemies, but also sometimes fellow tribesmen, including relatives, and in some cases their own babies (the ritual of killing "extra children").

Sacrifice to animals as a form of zoological violence has a very ancient history. In this phenomenon, the primary forms of legal relations reflected by the system of relevant prohibitions (taboos) were reflected [Maltsev G.V. (2018), p. 296]. In turn, taboo as a cultural and moral phenomenon is essentially the fundamental principle of primitive criminal law. At the dawn of its formation, as stated in legal literature, criminal law with thousands of threads was associated with religious (cult) and moral standards [Boyko A. I. (2010), p. 13]. In the ethno-legal culture of any society, the central place belongs to this ancient branch of law, which actually grew out of mythology [Kulygin V.V. (2002), p. 31, 34].

The objective and subjective meaning of myth-making from modern socio-psychological positions is understandable. Man, encountering the mysteries of nature, in contact with unknown and inexplicable phenomena, tried to somehow defend himself from potential danger. To do this, people tried to save information about an unusual event in a figurative display. Accordingly, the brighter, the more entertaining the story will be, the better it will be remembered on an individual level and the longer it will remain in the memory of generations.

A.F. Losev, arguing about the role and meaning of myth-making, noted that myth is a genuine life, with all its real everyday life. The myth is always extremely practical, urgent, always emotional and affective [Losev A. F. (2014), p. 42-43]. Another scientist claimed that myth is not a fairy tale composed in idleness and not an artistic fantasy. Myth is an active force, the pragmatic legal foundation of primitive faith and moral wisdom [Malinovsky B. (2018), p. 289-292].

In order to try to understand the origins of the occurrence of violence with the use of animals, it is necessary to turn to specific zoomorphic myths. In this regard, we tried to dissect one of the oldest legends of sacrifice.

So, from the time of the so-called Minoan civilization (approximately 1500-3000 BC), a very old legend about the Minotaur (Asteria), to which human lives were gifted, has survived. According to the original version, the victim was a creature with the body of a man and the head of a bull. Later, he was sometimes portrayed the other way around - like a bull with a human head. Apparently, the Minotaur in its physical parameters belonged to the mythical group of the so-called centaroids (centaur, satyr, mandrigor, etc.). Everyone with a double essence, of course, had a pronounced animal half.

The beastman lived on the island of Crete, in a room with no outlet and called the Labyrinth (i.e., the victims were doomed to death). The minotaur was feeding on humanity, killing people with horns. The whole process was led by the monster's stepfather - the king of Crete named Minos. The ruler of the state, in response to the murder of his own son in Athens, demanded sophisticated retribution from the conquered Greeks - regular sacrifices. To atone for the death of the king's son, Athens had to supply the Minotaur with 7 boys and 7 girls. Young people pledged to arrive on the island either once a year [Nepomnyashchy N. N. (1997), p. 81-91], or once every nine years [Kun N. A. (2018), p. 187], or twice every ten years [13, p. 360]. The doomed group of Greeks was forcibly forced to go to the Labyrinth, where the sacrifice, as needed, was used from its intended purpose. Subsequently, the Minotaur was killed by the mythical hero Theseus.

As in every myth, the information is very contradictory. It is not clear how the "bull" could physically devour people, whether it was a predator or still a herbivore. It is not entirely clear how many people arrived in Crete - 14 people a year, either five years old or nine years old. From an ancient legend, however, we can conclude that the regularity of supply and the appetite of the monster were in optimal proportion. When the Minotaur was destroyed, a certain number of people remained alive. Theseus later led them all out of the Labyrinth.

For myth-making, all of these not-so-clear or contradictory details are not significant. For our study of zoological violence, there are several key points in the legend of the Minotaur. First, the implementation of the idea of retaliation for the death of the son of Minos. Such a sacrifice acts as a prototype of the criminal law custom of retribution (punishment) for the deed (Talion law). Secondly, the participation of some animal in this process. The monsters were all afraid, because he personified something unknown, mysterious and dangerous ("sacred"), that is, a power that was not subject to man. However, the Minotaur, like every deity in the ideas of people, had to have some tangible essence, albeit in an unusual form.

In the history of civilizations (much later after the Minotaur), real living and large animals often acted as sacrificers. These were bears, jaguars, wolverines, tigers, leopards, crocodiles, etc. A similar situation is understandable, since only animals who are able to physically eat human meat could "accept the victim".

The victim was accustomed to this rite gradually, with the help of the sounds of musical instruments, general rhythmic screams and spells, in fact developing a conditioned reflex in them. The victim, as a rule, was immobilized in one way or another or deprived of the opportunity to resist (placed in a limited space, tied to a totem pole, etc.). Often resorted to the help of certain drugs of natural origin, having a depressive nature. However, presumably, in most cases, the victim was previously killed.

History shows that most often crocodiles - Nile, as well as combed, actual contemporaries of dinosaurs acted as sacrificers. The cult of these animals goes back into the millennia, and he appeared, apparently, long before the birth of Moses. In ancient Egypt, the crocodile personified the pagan deity Sebek (aka Sukhos) - the patron saint of the Nile. This river god was depicted with the head of a crocodile. To appease him, the reptiles were thrown to eat girls from noble families.

Such a pagan cult had a fairly wide geography. Crocodile worshipers existed in certain regions of Central Africa, India, Pakistan and other local zones. On the island of Timor (Philippines), the sacrifice was carried out as follows: a girl (girl) was dressed up and dressed like a bride, decorated with flowers and seated on the shore. In those cases when the combed crocodile is an extremely aggressive reptile, sometimes reaching 10 meters in length, it was believed that the girl was taken away as the wife of a sacred animal [4, p. 130].

The animal sacrifice actually survived to our time, although, of course, this is of an exceptional nature. So, in the middle of the twentieth century in the media there were reports of human sacrifices to the hieroglyphic python in West Africa. For this, a special temple was built, where the rites of worship of the snake took place. On one of the many islands of Lake Victoria (Uganda, Kenya, Tanzania), serpent worshipers led by the priest for several years fed feeble old people and "extra" children. The ritual of sacrifice occurred approximately once a month [4, p. 117].

The victim is a hieroglyphic python, with very beautiful and complex patterns, as a rule, smaller in size than its closest relatives - tiger or net pythons. Nevertheless, the snake sometimes reaches six meters and has an extremely fast reaction and tremendous power. According to local residents, the python is able to gobble up the bull. At least it is reliably known that a snake of this size can swallow a sheep, a goat and even a leopard. Accordingly, the victim had no chance of salvation.

Sacrifice to animals as a religious (cult) event had other forms. Their essence was that the dead or living person was not fed with the beast, but the sacred animal indirectly or indirectly participated in such an event, that is, it "took" the victim.

One of such forms can be illustrated by a well-known case from the history of the criminal proceedings of the Russian Empire. At the end of the 19th century, the so-called case of Multan Votyaks, that is, those who are currently defined as Udmurts, became widely known [3]. Among

pagan gods, one of the sacred animals is a bear, which some people, even after the official adoption of Christianity, continued to worship.

In the Vyatka province, not far from the village of Stary Multan, a decapitated corpse of a man was discovered, while he had no "chest entrails." Apparently, the sacrifice was indeed committed. However, it was not possible to find out whether the sacrifice was made to the sacred beast or to another deity and how it was carried out specifically. All the neighboring pagans were silently friendly [Chalidze V. (1996), p. 180-182].

The investigation established that there were no bears at the crime scene and the murder most likely occurred in front of a stuffed animal. However, several villagers were prosecuted for the murder. The provincial court issued two convictions, which were subsequently quashed by the Senate cassation department. The basis for such a decision was gross violations of the procedural law. The most famous among them was the circumstances of the interrogation of suspects, when the bailiff brought the robbers to the oath before a stuffed bear. The official, of course, knew about the role and significance of the sacred animal for the Gentiles and suggested that the killing is a sacrifice. The famous lawyer A.F. Koni subsequently obtained an acquittal in this case [Koni A. F. (1964), p. 374].

The rite of the bear oath was known not only to the Volga Votyak people, but also to other ethnic groups. The cult of this animal, until recently, was preserved, for example, among the Nivkhs living at the mouth of the Amur, among the Ainu in Northern Japan, among the Ostyaks (the modern name of the Khanty), who traditionally lived beyond the Urals, along the banks of the Tobol, Irtysh and Ob [Kharuzin N. (1898), from. 1-37].

A similar ethno-zoological custom, as we have already said, was formed under the influence of the ancient traditions of veneration of totem animals and human sacrifices. Hence the fear of breaking the "bear oath" - the fear of responsibility for lying and subconscious deep respect for the ritual.

Votyaks (Udmurts), Ostyaks (Khanty) and a number of other ethnic groups from a historical point of view were relatively recently converted to Christianity (approximately 150-200 years before the events described) and the corresponding energy of pagan thinking remained extremely high. In historical literature it is indicated that for many centuries (if not millennia) paganism in a monolithic block continued to exist as an independent phenomenon with which Orthodoxy could not control [Goridienko N. S. (1986), p. 95].

Thus, the sacrifice of sacred animals is essentially functional violence, as it is intended to achieve religious or religious purposes. And these goals in socio-psychological terms are permanent and extremely important in people's lives.

However, zoological sacrifice is a relatively rare event in the structure of all pagan ceremonies. At the same time, such a phenomenon as acceptance by the animal of a victim in itself, apparently, represents one of the very first and ancient forms of zoological violence.

In the history of civilizations, other forms of using animals against humans are noted. For example, for executions, as executioners; for public shows, as the main participants; for military operations, as an instrument or means of delivery, etc.

Of the listed forms of zoological violence, the animals themselves did not always cause death to humans, but, at the same time, as a rule, remained participants in the relevant ceremonies. So, for example, in Ancient Rome, the killer of a father or mother was sewn up in a leather bag and thrown into the river. Together with the guilty, four animals went to the last journey - a dog, a rooster, a snake and a monkey. Such a set was determined by the "custom of the ancestors." In people's perceptions, such execution took away from the criminal the earth during life (dog and snake) and the sky after death (rooster and monkey) [Kudinov O. A. (2013), p. 39]. Accordingly, religious events with animals always contained mythical elements of a zoomorphic nature.

CONCLUSIONS.

The study allows us to draw the following conclusions:

Firstly, animal sacrifice is actually one of the oldest forms of zoological violence. However, it should be noted that in the history of civilizations animal violence has been used in other forms. They were used in executions, in military operations, in mass shows, etc.

Secondly, the appearance of criminal violence, including with the use of animals, has an ancient history. It is based on various forms of zoological violence formed several thousand years ago. Its socially negative value lies, in particular, in the fact that it has a learning value and serves as a precedent for subsequent similar actions. Certain criminal acts in modern reality are committed precisely as an imitation of animal sacrifice.

Thirdly, a retrospective analysis suggests that the era of zoological violence, including criminal in nature, will continue. At least until our biosocial species exists. This forecast is due to the planetary factor that human life is unthinkable without other living beings.

Conflict of interest.

The authors confirm the absence of a conflict of interest.

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